

PUOY K. PREMSRIRUT, ESQ.  
Nevada Bar No. 7141  
**BROWN BROWN & PREMSRIRUT**  
520 S. Fourth Street, 2nd Floor  
Las Vegas, NV 89101  
(702) 384-5563  
(702) 385-6965 Fax  
[puoy@brownlawlv.com](mailto:puoy@brownlawlv.com)

**ROME & ASSOCIATES**  
Eugene Rome, Esq.  
Brianna E. Dahlberg, Esq.  
2029 Century Park East, Suite 450  
Los Angeles, CA 90067  
Tel. (310) 282-0690  
[erome@romeandassociates.com](mailto:erome@romeandassociates.com)  
[bdahlberg@romeandassociates.com](mailto:bdahlberg@romeandassociates.com)  
*Attorneys for Defendant/Counterclaimant*  
**NEW U LIFE CORPORATION**

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

T1 PAYMENTS LLC, a Nevada limited  
liability company,

Plaintiff,

v.

NEW U LIFE CORPORATION, a California  
corporation,

Defendant.

CASE NO.: 2:19-cv-01816-APG-DJA

**JOINT STIPULATION TO EXTEND  
JURISDICTIONAL DISCOVERY  
DEADLINE FOR TWO DEPOSITIONS**

**(First Request)**

**AND RELATED COUNTERCLAIM**

Pursuant to Fed. R. Civ. P. 16(b)(4) and Local Rules IA 6-1, L.R. 26-3, Defendant and Counterclaimant New U Life Corporation (“New U Life”), Plaintiff and Counterclaim-Defendant T1 Payments LLC and Counterclaim-Defendants T1 Payments Limited, TGlobal Services Limited, Donald Kasdon, Amber Fairchild, and Debra King (the “T1 Parties”) and Counterclaim Defendant Payvision B.V. (“Payvision”) (collectively, the “Parties”) jointly request that the Court extend the upcoming jurisdictional discovery deadline by approximately one month for the sole purpose of

1 completing two depositions. Good cause exists to grant this joint request because the extension is  
 2 needed to accommodate the schedules of Payvision's Rule 30(b)(6) representative, Maria Alida  
 3 Johanna Ruijters-Terpstra, and third party witness, Joe Emig, who were not available for  
 4 depositions prior to the current jurisdictional discovery deadline of March 25, 2022.

## 5 I. PROCEDURAL BACKGROUND

6 On January 21, 2022, the Court issued its Order: (1) denying Payvision's motion to dismiss  
 7 New U Life's counterclaims against it for lack of personal jurisdiction and *forum non conveniens*;  
 8 (2) granting Payvision's motion to dismiss for failure to state a claim with leave to amend; and (3)  
 9 granting in part the T1 Parties' motions to dismiss with leave to amend. ECF No. 194.

10 The Court further ordered that jurisdictional discovery<sup>1</sup> as to Payvision is open until March  
 11 25, 2022, and that within 30 days after jurisdictional discovery closes, Payvision may move to  
 12 dismiss for lack of personal jurisdiction and *forum non conveniens*. *Id.* at 30. The Court further  
 13 ordered that New U Life may file a Second Amended Counterclaim ("SACC") by February 18,  
 14 2022. *Id.*

15 On February 3, 2022, the Court entered the Parties' stipulation extending New U's deadline  
 16 to file a SACC to April 4, 2022 (*i.e.*, 10 days after the close of jurisdictional discovery), and  
 17 permitting the T1 Parties and Payvision 30 days after New U files its SACC to respond to the  
 18 SACC. ECF No. 200.

## 19 II. THE PARTIES HAVE COMPLETED THE FOLLOWING 20 JURISDICTIONAL DISCOVERY

21 The Parties have been diligent in pursuing jurisdictional discovery. New U Life served  
 22 written jurisdictional discovery requests upon Payvision, and Payvision has produced responses  
 23 and documents.  
 24  
 25  
 26

---

27 <sup>1</sup> In an Order dated July 7, 2021, the Court ordered discovery against Payvision stayed. (ECF No.  
 28 148). Except for the jurisdictional discovery permitted by its January 21, 2022 Order (ECF No.  
 194) the Court's July 7, 2021 Order remains in full force and effect.

1                   **III. JURISDICTIONAL DISCOVERY TO BE COMPLETED**

2           New U seeks to take the deposition of Maria Alida Johanna Ruijters-Terpstra, a Payvision  
3 representative who has given prior declaration testimony on jurisdictional issues. Payvision has  
4 also designated Ms. Ruijters-Terpstra as its Rule 30(b)(6) representative on certain jurisdictional  
5 topics.<sup>2</sup> The Parties have agreed that Ms. Ruijters-Terpstra will appear for her deposition by video  
6 conference from the Netherlands, where she lives. Due to the time difference, the Parties agreed to  
7 split the deposition into two days. The earliest dates on which Ms. Ruijters-Terpstra and counsel  
8 are available are March 30 and 31, which are after the current jurisdictional discovery deadline of  
9 March 25.

10           New U also seeks to take the deposition of former Payvision US Inc. (“Payvision-US”)   
11 employee, Joe Emig. Mr. Emig worked with TGlobal Services Limited when he was with   
12 Payvision-US, and New U believes he would have relevant knowledge of Payvision-US and   
13 Payvision’s contacts with Nevada. However, counsel for Mr. Emig has advised that he and his client   
14 will not be available until April. The Parties are currently in discussions to finalize a date for Mr.   
15 Emig’s deposition. Given the schedules of the Parties’ counsel, Mr. Emig’s deposition will likely   
16 occur at the end of April. In addition, the T1 Parties’ counsel has expressed that they intend to   
17 examine Mr. Emig on substantive issues as well during his deposition. To that end, because   
18 Payvision does not want to waive its position on personal jurisdiction, Payvision’s counsel intends   
19 to state on the record prior to the substantive portion of Mr. Emig’s deposition that they reserve the   
20 right to call back Mr. Emig to question him on substantive issues, should the Court rule that it has   
21 personal jurisdiction over Payvision.

22                   **IV. GOOD CAUSE EXISTS TO MODIFY THE SCHEDULE**

23           Granting a brief extension of the jurisdictional discovery deadline to complete the   
24 depositions will permit the depositions of Ms. Ruijters-Terpstra and Mr. Emig to be taken on dates   
25 that are convenient to them. New U timely served its deposition notices for these witnesses on   
26 February 18, 2022. However, neither Ms. Ruijters-Terpstra or Mr. Emig were available for

27 \_\_\_\_\_  
28 <sup>2</sup> New U and the T1 Parties reserve the right to seek to depose Payvision on substantive issues after   
the Court determines whether it has personal jurisdiction over Payvision.

depositions before the current deadline of March 25, 2022. The requested extension accommodates the schedules of the witnesses and the Parties' counsel. New U's deadline to file the SACC should also be proportionally extended based on the new deadline so that jurisdictional discovery will be completed before the SACC is filed, eliminating any need for additional motions to amend the counterclaim or other motions to supplement based on the new discovery. The Parties agree that the proposed schedule adequately addresses these concerns and is in the best interest of all Parties and judicial efficiency.

Accordingly, and for good cause shown, the Parties respectfully request that the Court grant the following extensions:

	<u>Current date:</u>	<u>New date:</u>
Deadline to complete		
Jurisdictional Depositions:	March 25, 2022	May 2, 2022
New U's deadline to file SACC:	April 4, 2022	May 12, 2022
Deadline for Responses to SACC:	May 4, 2022	June 13, 2022

Date: March 23, 2022

Respectfully submitted,

By: /s/ Brianna Dahlberg  
 BROWN BROWN & PREMSRIRUT  
 Puoy K. Premsrirut  
 ROME & ASSOCIATES, A.P.C.  
 Brianna Dahlberg (*pro hac vice*)  
 Eugene Rome (*pro hac vice*)

*Attorneys for New U Life Corporation*

[SIGNATURES CONTINUED ON FOLLOWING PAGE]

1  
2 /s/ Ari N. Rothman

3 McDONALD CARANO LLP

4 Aaron D. Shipley

5 Tara U. Teegarden

6 VENABLE LLP

7 Ari N. Rothman (*pro hac vice*)

8 P. Randy Seybold (*pro hac vice*)

9 Jane B. Baber (*pro hac vice*)

10 *Attorneys for T1 Payments LLC, T1 Payments*  
11 *Ltd., TGlobal Services Ltd., Donald Kasdon,*  
12 *Amber Fairchild, and Debra King*

13 /s/ Giorgio A. Sassine

14 GIBBS GIDEN LOCHER TURNER & SENET

15 Richard Edward Haskin

16 MUSICK, PEELER & GARRETT LLP

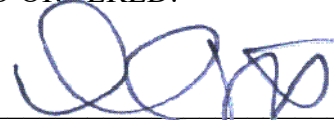
17 Nathan D. O'Malley

18 Peter J. Diedrich

19 Giorgio A. Sassine

20 *Attorneys for Payvision B.V.*

21 IT IS SO ORDERED:

22 

23 DANIEL J. ALBREGTS

24 UNITED STATES MAGISTRATE JUDGE

25 DATED: March 28, 2022